

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 56

FISCAL
NOTE

BY SENATORS STOLLINGS, BALDWIN, JEFFRIES, ROMANO,

AND FACEMIRE

[Introduced January 8, 2020; referred

to the Committee on Health and Human Resources; and

then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-16-8b; to amend said code by adding thereto a new section, designated
 3 §33-15-4u; to amend said code by adding thereto a new section, designated §33-16-3ff;
 4 to amend said code by adding thereto a new section, designated §33-24-7u; to amend
 5 said code by adding thereto a new section, designated §33-25-8r; and to amend said code
 6 by adding thereto a new section, designated §33-25A-8u, all relating to prohibiting
 7 insurance coverage from requiring prior authorization for physician prescribed tests to
 8 stage cancer.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE, AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-8b. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
 2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
 3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
 4 computerized tomography scans, magnetic resonance imaging scans and positron emission
 5 tomography scans.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4u. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued

2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
 3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
 4 computerized tomography scans, magnetic resonance imaging scans, and positron emission
 5 tomography scans.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3ff. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
 2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
 3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
 4 computerized tomography scans, magnetic resonance imaging scans, and positron emission
 5 tomography scans.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7u. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
 2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
 3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
 4 computerized tomography scans, magnetic resonance imaging scans and positron emission
 5 tomography scans.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8r. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
 2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
 3 authorization for physician prescribed tests to stage cancer, including, but not limited to,

4 computerized tomography scans, magnetic resonance imaging scans and positron emission
5 tomography scans.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8u. Prohibiting prior authorization for tests to stage cancer.

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
2 or renewed on or after July 1, 2021, and that is subject to this article may not require prior
3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
4 computerized tomography scans, magnetic resonance imaging scans and positron emission
5 tomography scans.

NOTE: The purpose of this bill is to prohibit insurance coverage from requiring prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans and positron emission tomography scans.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.